

Minutes of the Budget Workshop
Thursday, June 20, 2002 – 1:00 p.m.
Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, June 21, 2002 – 9:00 a.m.
Saturday, June 22, 2002 – 8:00 a.m.
State Fairgrounds, Wildlife Building
17th Avenue & McDowell Road
Phoenix, Arizona

PRESENT: (Commission)

(Director's Staff)

Chairman Michael M. Golightly
Commissioner Sue Chilton
Commissioner W. Hays Gilstrap
Commissioner Joe Melton

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Asst. A.G. Jay R. Adkins
Asst. A.G. Jim Odenkirk

Chairman Golightly called the meeting to order at 1:00 p.m. The Commission introduced themselves and Chairman Golightly introduced Director's staff. The Commission participated in this budget workshop to learn about processes and procedures used to prepare the Department's budgets and review Department proposals for FY 2004-05 budgets. Director Shroufe made introductory comments. He noted that the last Commission budget workshop was held two years ago.

1. Budget Workshop

Presenter: Steve Ferrell, Deputy Director

Mr. Ferrell described various funding sources. The teamwork of Executive Staff was noted. Executive Staff participated in budget meetings for the past three months. He introduced members of the Funds Planning staff who were present at today's meeting: Alan Silverberg, Funds Planning Manager; Annie Houser, who handles primarily the Game and Fish and watercraft budgets; Cari Mausling, who handles federal contracts; Sonja Hill, who handles Federal Aid budgets and Jared Askelson, who handles the Heritage budgets.

The appropriated budgets include the Game and Fish Fund; Capital Improvement Fund; the Game, Nongame, Fish and Endangered Species Fund; Waterfowl Conservation Fund; Wildlife Endowment Fund; Watercraft Licensing Fund and the Land and Water Conservation Recreational Development Fund. These budgets will need to go to the Legislature for approval. Those that do not require legislative approval are the Conservation Development Fund; Heritage Funds; Publications Revolving Fund; all the federal aid dollars (Pittman-Robertson; Dingell-Johnson/Wallop-Breaux); OHV Fund and the Trust and Donation Fund.

Mr. Ferrell explained what the issues were in 2000. Achievements were noted since 2000 with the FY 2002-03 budgets. Four areas of priority two years ago were: fleet management; Information Technology (IT) enhancement; cost transfer and carry forward balances.

The proposal today would put 60 new vehicles into the fleet each year. By the end of the 05 budget, the Department would actually achieve 100% warranty in the A Motor Pool (Game and Fish). The Heritage Fund motor pool would be 93% in warranty and the Federal Aid motor pool would be 76% warranty.

The ability to communicate Department-wide was an important issue. The Department was ahead of schedule in putting IT hardware in the hands of its employees.

Cost transfers allow for interchange of work outside the home funding source. Progress has been made on some funds, but the Department will never be able to put cost transfer lines on every one of the funds. There will never be cost transfer lines that are adequate in the federal funds.

Carry forward balances allow for the building of "savings" accounts in each of the funds. Carry forward balances have helped the Department in hard times in some of its programs.

The expenditure model the Commission adopted two years ago was explained. A graph was distributed showing the model, revenue projections and budgets were coming together to make happen like the Commission directed.

Game and Fish Fund: Mr. Ferrell highlighted expansions, enhancements and reductions proposed for the Game and Fish Fund. The Department was requesting a Commission budget of \$58,940 to allow for increasing Commission expenses and in-state travel. It was noted the Commission budget has not been increased in at least ten years and the public expects to have an active Game and Fish Commission. The Legislature needs to be convinced of this fact.

Mr. Ferrell noted regional and Field Operations Headquarters requirements. There was need to refurbish the Super Cub and do a 12,000 hour inspection and engine replacements for the twin and the 206 planes. There was a two-year replacement schedule for handguns (20 in 04 and 10 in 05).

Mr. Ferrell noted that all PCs were put on a three-year cycle for replacement. Other hardware and software maintenance needs were noted. Thirty-three vehicles can be purchased with \$180,000 in 04 and \$800,000 will purchase 32 vehicles in 05. The vehicles are not always the same; most of them are ¾ ton pickups and each work unit has been allowed to maintain one SUV vehicle for multi-passenger purposes. Also, not all vehicles require a law enforcement package.

Increasing the outreach and marketing program will cost \$100,000 each year in the Game and Fish Fund. Executive Staff came up with a budget visioning document in which it lists programs that should be enhanced or remain static in the future. Outreach and marketing have a high, long-term priority. This should allow license sales to grow.

Kerry Baldwin, Acting Assistant Director for Information and Education, noted the importance of outreach. There were different customers with different needs. The Department was working with the media to reach the Hispanic community and was seeing some improvements and connections. The Department was diversifying its staff and methods of presenting Department programs to meet the needs of emerging customer bases.

Mr. Ferrell noted a new match in the Game and Fish Fund of \$100,000 to match \$300,000 more in federal funds.

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Meeting recessed at 2:45 p.m.

Meeting reconvened at 2:55 p.m.

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Mr. Ferrell explained the Critical Issue request in the amount of \$342,700 for each fiscal year to address insufficient funding for salaries and related Employee Related Expenditures in the Game and Fish Fund. Director Shroufe decided that the Legislature needed to be asked to try to make the Department's Personal Services budget equal the expenses; in this case, a critical issue goes to the Governor's Office.

Mr. Ferrell proceeded with the budgets for the Watercraft Fund; Game, Nongame, Fish and Endangered Species Fund; Capital Improvement Fund; Waterfowl Conservation Fund and Wildlife Endowment Fund. No significant issues were noted.

Federal Aid Funds Budget: It was discovered the Department under matched federal funds for 10 years. Previously, the Department would budget its federal dollars based on entitlement from the federal government. If the federal government apportionment to Arizona could not be matched, the Department would garner the entire amount through cash and the difference would be made up through in-kind match, e.g., personal services that worked the project that were funded by state budget. The analysis by Funds Planning discovered that in-kind match only exacerbates the problem. The Department needed to base its budget on match capabilities, not on its apportionment.

Significant cuts were required. Various approaches would be taken to solve the problem on the Dingell-Johnson (D-J) side:

1. The Commission was being asked to authorize another \$100,000 in match. This will help with a lot of the problem.
2. The Department was going to cut limited and seasonal positions out of the program.

The extra \$100,000 will allow the D-J projects to fit into the FY '04-'05 budget, using modifications, with the 02 budget as a base.

No more leverage could be made on the Pittman-Robertson (P-R) monies. Department projections are based on Fish and Wildlife Service projections that are done twice a year.

The Federal Aid budget request was reviewed. Two large ticket items are in the budget.

In '04, Canyon Creek Hatchery is getting a clarifier and Tonto Creek Hatchery gets one in '05. These are \$450,000 each and allow us to continue hatchery operations and remain compliant with the National Pollution Discharge Elimination Systems permit that the Department gets from the Environmental Protection Agency. This permit is needed at the outflow of the hatchery. If clarifiers were not reconstructed at Canyon Creek and Tonto Creek in 04 and 05, the operation of those hatcheries would be jeopardized. The Department proposed spending \$300,000 on the federal side and \$150,000 from the Game and Fish Fund.

Chairman Golightly expressed concern about the age of the vehicle at the House Rock Wildlife Area, especially in light of the fact that a new vehicle was scheduled to be purchased for the Ben Avery Shooting Range. He asked the Department to keep an eye on those vehicles with high exposure to breakdown in remote areas. Mr. Ferrell noted later a new vehicle was scheduled for purchase for House Rock in 05. Later, Richard Rico, Assistant Director for Special Services, noted at House Rock, the employee had a 1996 ¾ ton truck with 95,578 miles on it as of December 31, 2001. Mr. Ferrell stated the Department would consider purchasing a truck for House Rock out of the 04 budget.

Mr. Ferrell explained the process that determines the federal eligibility of a wildlife area for an operation and maintenance fund. If a wildlife area is not in the project narrative, the Fish and Wildlife Service does not authorize federal monies to be expended there.

There were no enhancements to the OHV fund.

Heritage Fund Budget: The budget for the Heritage Fund is all right, the reasons being 1) putting away a reasonable carry forward balances each year; 2) when we recognized the revenue shortages in 00 and 01, budget cuts were made then and 3) the interest money has been reapportioned that basically is committed to the Heritage program (administration) in Funds Planning.

The IIPAM and Habitat Evaluation and Protection programs are a hot spot financially. The IIPAM project needs \$400,000 to match the state wildlife grants, which are new grants authorized by Congress. Habitat Evaluation is a mix of Heritage and federal funds. A handout was provided regarding the balances in the five pieces of the Heritage pie. Carry forward balances for these two programs are disappearing and if something does not happen to stop that, the Department will be living off annual receipts only in these two Heritage programs.

Enhancements to the Heritage programs were noted.

At the conclusion of the budget presentation, discussion occurred regarding various subjects, e.g., searching for new funding sources and broadening the market; focusing on water developments that are self sustaining and passive that require less maintenance. When asked if habitat improvement funds from Heritage could be used to build waters, Mr. Ferrell stated that the Heritage Habitat Evaluation Project that is mixed with federal dollars focuses on things other than development. The FW-20 project is used to build projects; one of the other ways was through the Habitat Partnership committees using special tag monies.

Regarding having an administrative assistant assigned to the Commission, Director Shroufe stated it was difficult for the Department to go to the Legislature to ask for another FTE. According to law, he was Secretary to the Commission. The Commission has the ability to have Department staff do work but without his or Mr. Ferrell's influence, he was not sure how that would work. Unless a person carried the authority of the Director or Deputy Director, the work may not get done and he or Mr. Ferrell would wind up doing it anyway. The Department could explore duties that could be done by an administrative assistant to the Commission. Because this person would have to report to either the Director or Deputy Director, it would not save time in that respect.

Motion: Gilstrap moved and Chilton seconded THAT THE MEETING ADJOURN.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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Meeting adjourned at 4:45 p.m.

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Friday, June 21, 2002 – 9:00 a.m.

Chairman Golightly called the meeting to order at 9:00 a.m. The commissioners introduced themselves and Chairman Golightly introduced Director's staff. Commissioner Carter was absent due to illness. The meeting followed an addendum dated June 18, 2002.

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1. Litigation Report

- a. *Forest Guardians v. APHIS*, CIV 99-61-TUC-WDB; *State of Arizona v. Norton*, CIV 02-0402-PHX-FJM; *Conservation Force v. Shroufe*, CIV 998-0239 PHX RCB; *In Re General Stream Adjudication for the Little Colorado River and Gila River*; *Mark Boge v. Arizona Game and Fish Commission & Shroufe*, CIV 2000-020754; *Mary R. LLC, et al. v. Arizona Game and Fish Commission*, CIV 2001-015313 and *Defenders of Wildlife et al. v. United States Fish and Wildlife Service*, CIV01-934 (HA) (U.S.D.C. Ore.)

A copy of the update, which was provided to the Commission prior to today's meeting, is included as part of these minutes.

Mr. Adkins added yesterday he was notified that in the case *Defenders of Wildlife v. United States Fish and Wildlife Service*, oral arguments were set for July 25. Hopefully at that time, the case would be dismissed. Other items would need to be discussed later in Executive Session.

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2. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto

Presenter: John Kennedy, Habitat Branch Chief

A copy of the printed update, which was provided to the Commission prior to the meeting, is included as part of these minutes.

Mr. Kennedy stated a confidential internal agency review draft for the Barry M. Goldwater Range (BMGR) allows for cooperating agencies to work out and resolve issues and concerns before the public review period. The Department has concerns with this review draft and is in the process of negotiating with the cooperating agencies. The Department wants to come to an understanding with all cooperating agencies as to what the proposed management alternative will be on the BMGR prior to public review. Some issues have been resolved and the Department of Defense (DOD) has been receptive to making changes per the Department's comments. Negotiations are expected to be finished in less than a month. The DOD is aware the Commission and Department will oppose the INRMP if its issues are not resolved by the public review period. Director Shroufe noted that if issues needed to be resolved by rewriting the draft, there will have to be a contract modification, which means there will be a delay of at least 120 days before the draft goes to the public. If the issues can be resolved without rewriting the entire draft, the draft would be available to the public in about 30 days. The issues to be resolved right now would necessitate a complete rewriting of the draft. Regardless of our issues, there would probably be a delay of 90-120 days because DOD has not consulted with the U.S. Fish and Wildlife Service (FWS) on the INRMP.

Commissioner Chilton asked about sending a letter to DOD from the Commission and the Governor stating there should be no erosion of the right of the Game and Fish Department to manage wildlife in the state and the letter should make its legal position very clear. Mr. Kennedy stated the Commission and Governor have communicated that position to the DOD. Director Shroufe stated if agreement could not be made in the review draft, it might be a good idea to send such a letter.

Mr. Kennedy stated the Department was working in Washington, D.C. right now on the development of new wilderness policies with FWS, as well as developing new policies and guidelines on wildlife management on Bureau of Land Management (BLM) and Forest Service (FS) wilderness areas.

Commissioner Chilton noted the importance of access but it was complicated when it was federally controlled.

With regard to areas burned as a result of the ongoing wildfires (Rodeo and Chediski) on the Mogollan Rim and White Mountains, Commissioner Melton asked about reseeding and revegetating those areas to prevent erosion. Mr. Kennedy stated it was not too soon for that process to occur and was already in place with the FS and BLM. Most of the time now, however, was spent fighting the fires. The Department would be a part of the process to address those efforts.

Chairman Golightly asked about land status having varying degrees of wildlife responsibilities. Mr. Kennedy stated land status was different in Arizona, especially with regard to the BMGR. Those lands were not managed consistent with the same type of laws and legislation as BLM and FS lands. Lands used by the military were primarily for

training and preparedness and wildlife management comes second. The Military Lands Withdrawal Act of 1999 gave all land and resources management responsibilities to the DOD. The Department's role on the BMGR was different than on public lands managed by BLM and the FS.

Commissioner Gilstrap asked if there was 1) more information on status of the BLM land trade in Yavapai County. He also asked about 2) additional information on the Ironwood Forest National Monument (NM) having an effect on the bighorn sheep in the area. He also asked for 3) updated information on Walnut Canyon National Monument and 4) on the proposed ranching communities and the effect, if implemented, on wildlife habitat. Regarding #1, Mr. Kennedy stated everything in the update on page 3, under BLM Phoenix Field Office was accurate. The Department met with BLM; the National Environmental Policy Act (NEPA) process for this project was on hold because Aranda was reconsidering the land exchange. He would keep the Commission updated. The second question referred to the update on page 4 under the Ironwood Forest NM. The current management of bighorn sheep on the Ironwood Forest as it concerns ASARCO is complicated. Region V is trying to resolve issues with BLM and ASARCO. The update on page 6 on Walnut Canyon addressed the expansion proposal that the Commission previously took action on. The last issue pertained to the proposed Ranch Communities of America (RCA) update on page 7. The Department met with the consulting firm involved in this project. The CV and CJ Ranches are willing sellers. The RCA is currently working with the Army Corps of Engineers on 404 permitting issues. The Land Department has not discussed any of this yet with the Game and Fish Department. This project will impact wildlife resources and wildlife-related recreation in Unit 19B. The Department will aggressively work on this project. The Department currently has access through this area but the project could eliminate access in as much as 50,000 acres of land. The Department anticipates several meetings with the developer. The wildlife resource values in this area would drastically decline. Commissioner Chilton asked about offering conservation easement agreements with the ranchers currently in the area to keep them from selling. The Department has met with the ranchers but has not discussed something different in lieu of selling. The Department met with the consulting firm that is working for the developer.

Chairman Golightly asked questions about the Prescott National Forest update on page 2. He asked if Mr. Yard was a member of the Habitat Partnership Committee in the Prescott area. Mr. Kennedy did not know. Chairman Golightly wanted to know why the Bureau of Reclamation (BOR) did not consult with the Department on the Imperial project noted on page 5. Mr. Kennedy stated the Department has had difficulty in working with BOR early in the planning process on the lower Colorado River. BOR recently made a commitment to work with the Department on this project.

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3. Request for the Commission to Approve the Intergovernmental Agreement with the Arizona State Parks Board for the Purpose of Continuing Management and Operation of the Roper Lake Property as a State Park Recreational Facility in Graham County, Arizona

Presenter: John Kennedy, Habitat Branch Chief

The Management Agreement has expired between the Commission and the Arizona State Parks Board for the operation of Roper Lake as a State Park.

The Arizona Game and Fish Department and Arizona State Parks Department have determined the Roper Lake property continues to be suitable for management and operation as a State Park recreational facility. The agencies developed an Intergovernmental Agreement to provide for the continued management and operation of Roper Lake State Park. The term of this agreement is 25 years. The Department has determined the Intergovernmental Agreement is in the public interest and is of direct benefit to the Commission.

Jay Ream and Jean Emery from the Arizona State Parks Department were present. Mr. Ream stated the Parks Board at its meeting yesterday voted on closures which included Roper Lake State Park. He gave background on the closure that reflected budget cuts. A park like Roper costs about \$200,000 a year to operate and only \$130,000 a year are collected in revenues. It is subsidized by general funds with about \$105,000 yearly. A \$1 million construction project, under SLIF, was entered into there. It was the Commission's prerogative to sign or cancel the Agreement. Three rangers would be kept at the park and work would continue on the management plans for the dam and the lake.

Motion: Gilstrap moved and Chilton seconded THAT THE COMMISSION VOTE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA STATE PARKS BOARD FOR THE PURPOSE OF CONTINUING MANAGEMENT AND OPERATION OF THE ROPER LAKE PROPERTY AS A STATE PARK RECREATIONAL FACILITY IN GRAHAM COUNTY, ARIZONA, AND EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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4. Statewide Shooting Range Project Update

Presenter: Kerry Baldwin, Acting Assistant Director, Information and Education

A written summary was provided to the Commission on major issues in the program prior to today's meeting.

Three major topics were discussed: 1) update on Bellemont; 2) Buckeye Hills Shooting Range and 3) financial opportunities under the Ben Avery Shooting Facility Economic Development Plan.

Plans were moving forward for the Buckeye Hills Shooting Range. Bill Scalzo, Director of Maricopa County Parks and Recreation Department, gave a specific briefing on ongoing plans. A handout was provided of the Buckeye Hills Recreation Area.

This is a unique partnership project. There would be a law enforcement range, which would be managed and operated by the County Sheriff's Office. That range, along with a public range, would proceed with several pieces of additional funding. The Maricopa County Parks Board approved spending \$500,000, which has been used to find water and do design work for the water and electrical utilities to bring them to the site. The current road system would be upgraded. The Board approved another \$1.5 million for the development of these ranges in the upcoming fiscal year and another \$500,000 in the following fiscal year. The Del Webb Corporation has agreed to provide \$500,000 in matching funds to help move the project.

A number of things have been identified about the project that make it attractive to the Board and its many users. There was no problem with development or potential development. There was ease of access and multiplicity of ranges available. This would be an educational facility.

An additional \$1 million-\$2 million was needed and Mr. Scalzo hoped the Commission would partner with the County in this regional facility. Groundbreaking could occur in as little as 14 months from today.

Larry Landry, representing the Pulte/Del Webb partnership, also part of funding for the joint project, urged the Commission to fund the project as soon as possible.

Mr. Baldwin noted current funding commitments of the Commission for the Bellemont Shooting Facility and the Tri-State Shooting Facility. The Commission has asked the Department to be aggressive in its role at looking at and developing shooting ranges. The Department has been asked to look at economic development opportunities associated with shooting ranges to generate revenue to support shooting range activities statewide. The Department consulted with the State Land Department and it was suggested that a highest and best use study be developed for lands associated with Ben Avery. The Ben Avery Economic Study Committee has looked at the resulting document and felt long-range opportunities needed to be explored.

The Department is currently looking at shooting range opportunities that could run \$12 million. The Department does not have a solid resource base to meet demands and is prioritizing limited funds for a lot of demand.

With the highest and best use study of Ben Avery, the Department has a perspective of the development opportunity that could generate funds to support shooting range issues, not only at Ben Avery but statewide. The Committee needed guidance from the Commission on how to proceed. The shooting community should clearly understand the Department was not abandoning Ben Avery. The Department may look at opportunities to replace Ben Avery at an equally usable site. A new range would be constructed before Ben Avery was vacated.

The Committee wanted direction from the Commission as to whether the Department should be at Ben Avery as long as possible and develop accordingly or should the perspective be opened to work with developers to see what long-range opportunities were in selling the property as a large chunk. In the next 5-10 years, the Ben Avery property could be worth \$100,000/acre. There were about 1400 acres available. Many questions needed to be answered regarding liability on lead issues. If the Department was going to take advantage of short-term opportunities with Ben Avery, there were a variety of developers waiting for a proposal.

Public comment

Nordon Van Horne, Vice President of the Americor Investment Group, Inc., stated he was interested in reacting to a request for a proposal (RFP). The Group would be interested in presenting ideas of approaches to the Commission that could be taken.

Commissioner Gilstrap stated it was important for the Commission to study all the options and expertise should be accessed from developers and the shooting range community.

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Meeting recessed at 10:35 a.m.

Meeting reconvened at 10:55 a.m.

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Mr. Baldwin made a presentation on deliberations made by the Committee in looking at the decision process for Ben Avery. If Ben Avery is closed, the timing of the decision needed to be thought about; forcing the closure decision may be more political than voluntary. There may be pressure from developers, the city or the public or changes in statute, but there would need to be a replacement facility. Other opportunities would be on the ground before Ben Avery is closed voluntarily. General development income would allow for resources for other ranges; the Department may be able to bank the money to have an income stream in perpetuity for shooting range issues.

If the Department stays at Ben Avery, buffer protection would need to be established as there is exposure on lands to the west and north for potential development. Physical range improvements and safety enhancements would need to be done. Proactive planning on improvements could be continued. The shooting ranges strategic plan needs to be maintained. The City of Phoenix needs to be consulted regarding zoning issues and Phoenix Preserve initiatives. Economic development could increase revenues at Ben Avery. One element is through retail sales, another is economic development of surplus lands through sales or leases. Shooting activities could be increased to increase shooter days. Reduced or restricted opportunities could occur because of localized development. Direction needs to be given regarding short-term and long-term planning.

Motion: Gilstrap moved and Chilton seconded THAT THE DEPARTMENT BE DIRECTED TO LOOK AT THE TOTAL AND BEST USE OF THE ENTIRE BEN AVERY FACILITY RATHER THAN IDENTIFYING SECTIONS ONLY FOR POTENTIAL DEVELOPMENT. THE SITE SHOULD BE LOOKED AT AS A WHOLE.

Chairman Golightly saw a demand for immediate money that might be relieved by selling or looking at offers on portions of the site not being used for the shooting range. Mr. Baldwin stated in order for immediate needs to be met, a RFP should go out for immediate development proposals on parcels A and B to see what could be done on the short term while, at the same time, looking at the whole property as a revenue resource to support long-range shooting range statewide. An RFP would not be sent out for the long term.

Chairman Golightly asked about a highest and best use recommendation by the Committee. Mr. Baldwin stated the development community should be allowed to give a hard proposal now. The proposals would be brought to the Commission in 60-90 days. The Commission would have a short-term look at money. In the interim, the Department would go back to the bigger development community to look at potential. The money from the sales would go into the Shooting Range Fund so that the Commission would have the ability to allocate those funds outside of the appropriation process. Director Shroufe advised that the \$12-\$14 million for the short term should not stay in the account very long. Shooting range needs were identified for Bellemont, Tri-State, Buckeye and Tucson.

Commissioner Melton stated it was important to move forward now with the planning process for Ben Avery even though he hoped the range would be open indefinitely.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Director Shroufe questioned what was to be done with Ben Avery in the short term. He would prefer to have a motion to proceed with RFPs to solve the immediate need.

Motion: Gilstrap moved and Melton seconded THAT, IN CONJUNCTION WITH LOOKING AT THE TOTAL SHOOTING FACILITY, THE DEPARTMENT SHOULD COME BACK TO THE COMMISSION WITH A REQUEST FOR PROPOSAL AS BROADLY DRAFTED AS POSSIBLE FOR THOSE POTENTIAL PROPERTIES IN SECTIONS A AND B, AND ALONG CAREFREE HIGHWAY.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Motion: Gilstrap moved and Chilton seconded RELATED TO BUCKEYE HILLS, THE COMMISSION SHOULD EXPRESS SUPPORT FOR THE CONCEPT AND CONSTRUCTION OF THE PUBLIC RANGE AT BUCKEYE HILLS.

Mr. Baldwin noted that Loren Kramer, the architect for the Bellemont Shooting Range, is to be the architect for the Buckeye Hills facility. Mr. Kramer will be providing more detailed range design elements.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Director Shroufe believed there was no reason to go into Executive Session regarding the land exchange for Bellemont. The Department could provide facts and make recommendations for the exchange in public session.

Mr. Kennedy distributed a package consisting of a series of maps and a memo from Director Shroufe describing the properties. Mr. Kennedy noted the Chevelon property involves four parcels, which does not include Vincent Ranch. The land exchange involves approximately 860 acres of Forest Service (FS) lands in the Coconino National Forest and approximately 1,160 acres of Commission-owned lands located throughout the state in six national forests. These lands were identified in the Agreement to Initiate approved by the Commission in 2001.

Manhattan Claims on the Coronado
Cunningham Tracts on the Tonto
Four Chevelon Canyon Branch parcels on the Sitgreaves
Verde River Tract #39 in the Prescott
Sunflower Flat on the Kaibab
Lamar Haines on the Coconino

Use of these Commission-owned federal aid properties was compatible with the purpose of the exchange. Once exchanged, the FS would administer these properties. Agreements have or will be made with the FS to develop cooperative agreements as to the future management of the properties. In the Agreement to Initiate approved by the Commission, there are four specific issues that the Commission requested to be agreed to: 1) the Department maintain the fences around the Cunningham properties and the internal fencing necessary for the conservation of sensitive riparian habitat; 2) maintain the existing boundary fences at each of the Chevelon Canyon Ranch parcels for the purposes of managing these areas in maintaining wildlife as beneficial use on water rights; 3) retain the existing fences to continue management of wildlife values and retaining wildlife as a beneficial use on water rights for the Sunflower Flat property and 4) maintain the existing fence around the entire tract of the Lamar Haines property for wildlife management purposes.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION APPROVE THESE PROPERTIES FOR THE BELLEMONT LAND EXCHANGE AND THIS WAS TO BE THE ONLY OFFER.

The value of the collective parcels was approximately \$6.8 million; the federal portion was \$7.7 million. There was a shortage of about \$800,000 when comparing the bulk property appraised value vs. the federal Bellemont appraised value. Mr. Kennedy noted there would be minor adjustments made with the overall exchange package. The Department was not offering any more money or lands for the exchange, but the amount was close enough to allow for proceeding with the range. Director Shroufe noted there was equal exchange value now because the FS took back some of the buffer area at Bellemont.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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21. Concerns for the Future of the National Fish Hatchery System and Concerns for the Future Operations of National Fish Hatcheries in Arizona

Presenter: Larry Riley, Fisheries Branch Chief

There are two national fish hatchery complexes in Arizona that serve the broad needs of the FWS, the state, and tribal Nations in Arizona. Willow Beach National Fish Hatchery and the allied Achii Hanyo facility produce trout and native fishes for recreation and restoration on the Colorado River. The Williams Creek Alchasa National Fish Hatchery provides trout for stocking on tribal lands, houses the only broodstock for Apache trout, and supplies Apache trout eggs or fingerlings for the state's recreational fishing programs in the White Mountains.

Over the last 25 years, the nation's national fish hatchery system has been ill supported. Currently the system is 25% understaffed, has received significant budget cuts, and due to a legacy of disregard has incurred a multi-million dollar backlog in facility maintenance. The FWS fisheries program budget has been under considerable pressure in recent years, and for the upcoming fiscal year, the previously insufficient budget will be cut by \$1 million (a reprieve from a proposed \$5 million reduction).

Budgetary restrictions and the FWS's philosophical approaches of previous years may combine to create unacceptable impacts to the national fish hatchery system that will touch Arizonans. These conditions may result in national fish hatchery closures in the Southwest and a redefinition of missions in Arizona.

The Department asked for Commission support of the FWS in its partnership with the Department in providing native fishes for conservation and to meet the needs and wants of the public for recreational fishing opportunities.

Also present for this item was Dale Hall, Acting Regional Director of the U.S. Fish and Wildlife Service (FWS).

Mr. Hall remarked on the FWS partnerships with the states. The National Fish Hatchery system has undergone budgetary problems over the past decade. Steve Williams, Director of the FWS, wants to hear from the states about the direction the federal government is going. Mr. Hall was concerned about the FWS being put in a position of not holding up its part of the partnership.

Mr. Hall stated the \$1 million reduction in the 03 budget would cause the FWS to close hatcheries. There was also approximately a \$500 million backlog in maintenance and crumbling raceways, etc.

Commissioner Chilton noted some of the species raised in the national fish hatcheries were threatened or endangered and asked if more funds could be put into that process. Mr. Hall stated discussions center around that, but instead of recognizing more could be done, the discussions of those who do not want to see increased budgets say that if everything was cut but endangered species, there would be enough money to operate at that level. This leaves out recreational fishing and mitigation. Federal leadership fails to see that fishing is valuable economically, recreationally and emotionally to the American public.

Motion: Chilton moved and Melton seconded THAT THE COMMISSION VOTE TO DIRECT THE DEPARTMENT TO CONTINUE CLOSE COORDINATION AND CORRESPONDENCE WITH THE U.S. FISH AND WILDLIFE SERVICE, THE ARIZONA CONGRESSIONAL LEADERSHIP REGARDING THE IMPORTANCE OF THE U.S. FISH AND WILDLIFE SERVICE'S FISHERIES PROGRAMS AND ITS NATIONAL FISH HATCHERY SYSTEM TO ARIZONA AND THE NATION.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Motion: Gilstrap moved and Melton seconded THAT THE SAME RECOMMENDATION BE DRAFTED IN A LETTER TO THE WESTERN GOVERNORS' ASSOCIATION, AS WELL AS THE ARIZONA CONGRESSIONAL DELEGATION. THE LETTER SHOULD BE ADDRESSED TO THE CHAIRMAN OF THE WESTERN GOVERNORS' ASSOCIATION WITH A CARBON COPY TO STEVE WILLIAMS.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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6. Call to the Public

Dale Hall, Acting Regional Director of the Fish and Wildlife Service, stated he and Director Shroufe would be signing the first MOU in the United States that brings the state game and fish department in as a full partner with the FWS on all Endangered Species Act (ESA) activities as they choose to be involved. Every time the FWS starts to do action on the ESA, the state director would be notified and asked whether or not the state wanted to be involved. He believed Section 6 of the ESA makes the states full partners with the ESA. He noted there would be a similar MOU that would allow Arizona the same access in National Environmental Policy Act activities as well.

Sandy Bahr, Conservation Outreach Director for the Sierra Club, spoke regarding the Heritage Fund. Heritage fund monies should be spent immediately as the law dictates to make sure the Legislature did not divert any surplus monies.

Benny Aja, representing self, was concerned about the drought and reduction in elk permit numbers. He wanted to know if there was any way to speed up the rulemaking process to give the Director permission to authorize supplemental hunts in drought situations. If there was no rain this summer, the elk herds would have to be thinned.

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5. State and Federal Legislation

Presenter: Duane L. Shroufe, Director

Carlos Ramirez, Legislative Assistant, distributed and gave a briefing on the Legislative Communication Effectiveness Evaluation. He noted bio sketches were being prepared on the gubernatorial, state Legislature, and Congressional candidates.

Mr. Ramirez reminded the Commission about providing input for the voter initiative pamphlet on Indian gaming.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION VOTE TO SUPPORT THE INDIAN GAMING COMPACT THAT INCLUDES THE 17 TRIBES AND THE LANGUAGE THAT PROVIDES FUNDING FOR THE WILDLIFE CONSERVATION FUND.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Commissioner Gilstrap stated the Commission and Department worked to ensure the Heritage Fund maintained its position and that it was not raided. There should be no implication that the Commission was interested in that fund going into the general account and at no time would the Commission ever consider anything in the form of expenditures that would not be on legal terms and misspend those funds in any way possible.

Commissioner Chilton asked if there were any restrictions on monies to Game and Fish from the Indian gaming. Mr. Ramirez stated 8% of the revenues generated from Indian casinos are allocated into the Arizona Benefits Fund. The money is then given to the Gaming Department to manage; 8% of the monies received in the Arizona Benefits Fund would go to Game and Fish for the purposes of wildlife conservation and land preservation.

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Meeting recessed at 12:18 p.m.

Meeting reconvened 1:30 p.m.

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18. Hearings on license revocations for violation of Game and Fish codes and civil assessments for the illegal taking an/or possession of wildlife

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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Steve K. Ferrell, Deputy Director, presented agenda items 7 through 17.

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7. Request to Approve the Heritage Fund Budget Amendments for Fiscal Year 2003

Public Access: The Department requested unspent fund balances be made available for expenditure in FY 2003 in support of the Department's Public Access Program.

Identification, Inventory, Acquisition, Protection and Management (IIPAM): The Department requested the unspent fund balances be made available for expenditure in FY 2003 for the IIPAM for special projects and grants. All property acquisition proposals utilizing unspent acquisition monies will be brought before the Commission for individual review and approval for actual funding authority.

Habitat Evaluation and Protection: The Department requested unspent fund balances be made available for expenditure in FY 03 for increased federal aid match.

Urban Wildlife and Urban Wildlife Habitat: The Department requested unspent fund balances be made available for expenditure in FY 03 for grant payments distributed in subsequent years and interfund cost transfers.

Environmental Education: The Department requested unspent fund balances be made available for expenditure in FY 03 for grant payments distributed in subsequent years and interfund cost transfers.

Heritage Fund Administration and Support Services (Interest Monies): The Department requested unspent fund balances be made available for expenditure in FY 03 to improve the Department's ability to respond to budget shortfalls.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE EXPENDITURE OF UNSPENT MONIES FROM THE PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION AND MANAGEMENT; HABITAT EVALUATION AND PROTECTION; URBAN; ENVIRONMENTAL EDUCATION; AND ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES) FOR FISCAL YEAR 2003.

Vote: Chilton, Gilstrap and Melton – Aye

Carter - Absent

Motion carried

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8. Request to Approve the Heritage Fund Budget Request for Fiscal Years 2004 and 2005

The budget requests are higher than revenue projections for FY 04-05 in order to spend down Heritage carry forward balances.

Public Access: The projected revenue is anticipated to be \$340,000 for FY 04 and \$345,000 for FY 05. The requested budget is \$521,900 for FY 2004 and \$483,900 for FY 05. The requested budget requires the use of \$181,900 and \$138,900 of carry forward in FY 04 and 05, respectively.

Identification, Inventory, Acquisition, Protection and Management: The projected revenue is anticipated to be \$2,478,000 for Fiscal Year 04 and \$2,514,000 for FY 05 for Identification, Inventory, Protection and Management. The requested budget is \$3,581,500 for FY 04 and \$3,567,800 for FY 05. The requested budget requires the use of \$1,103,500 and \$1,053,800 of carry forward in Fiscal Years 04 and 05, respectively. The projected revenue is anticipated to be \$1,602,000 for FY 04 and \$1,626,000 for FY 05 for Acquisition. All property acquisition proposals utilizing the Acquisition Account will be brought before the Commission for individual review and approval for actual funding authority.

Habitat Evaluation and Protection: The projected revenue is anticipated to be \$1,020,000 for FY 04 and \$1,035,000 for FY 05. These monies are used as the state matching funds for the Commission approved FW-11-TG (Habitat Evaluation and Protection) Federal Aid Project. The Department proposed to match the Federal Aid Project with \$1,373,200 of Heritage funds in Fiscal Year 04 and \$1,383,900 of Heritage funds in Fiscal Year 05. The requested budgets require the use of \$353,200 and \$348,900 of carry forward for FY 04 and 05, respectively.

Urban Wildlife and Urban Wildlife Habitat: The proposed revenue is anticipated to be \$1,020,000 for FY 04 and \$1,035,000 for FY 05. The requested budget is \$1,597,000 for FY 04 and \$1,603,500 for FY 05. The requested budget requires the use of \$577,700 and \$568,500 of carry forward for FY 04 and 05, respectively.

Environmental Education: The proposed revenue is anticipated to be \$340,000 for FY 04 and \$345,000 for FY 05. The requested budget is \$393,200 for FY 04 and \$397,900 for FY 05. The requested budget requires the use of \$53,200 and \$52,900 of carry forward for FY 04 and 05, respectively.

Heritage Fund Administration and Support Services (Interest Monies): The projected revenue is anticipated to be \$747,800 for FY 04 and \$745,200 for FY 05. The requested budget is \$815,700 for FY 04 and \$792,000 for FY 05. The requested budget requires the use of \$67,900 and \$46,800 of carry forward for FY 04 and 05, respectively.

Commissioner Gilstrap noted he had a chance to speak with Commissioner Carter who is ill and not in attendance today. They reviewed on the phone what happened at yesterday's meeting. Commissioner Carter was comfortable with the Department's recommendations on the budgets and supported the Commission's decisions.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE PUBLIC ACCESS; IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION AND MANAGEMENT; HABITAT EVALUATION AND PROTECTION; URBAN; ENVIRONMENTAL EDUCATION; AND ADMINISTRATION AND SUPPORT SERVICES (INTEREST MONIES) FOR FISCAL YEARS 2004 AND 2005.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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9. Request to Approve the Off-Highway Vehicle Fund Budget Request for Fiscal Years 2004 and 2005

Professional and Outside Services: The Department requested an increase in FY 04 and 05 in the amount of \$20,000 for each fiscal year to fund advertising costs related to the Off-Highway Vehicle Public Outreach Program.

Other Operating Expenditures: The Department requested an increase in FY 04 and 05 in the amount of \$38,000 for each fiscal year to cover the rising costs of off-highway vehicle insurance.

Non-Capital Equipment: The Department requested \$8,100 in FY 04 and \$2,400 in FY 05 to cover the purchase of ATVs and trailers for regional OHV patrol activities. The request also includes funding for a digital camera for field use.

Capital Equipment: The Department requested \$29,500 in FY 04 and \$13,000 in FY 05 to cover the purchase of four-wheel off-highway vehicles and trailers. This request will also provide partial funding for office copiers.

Wildlife Manager Cost Transfer Line: The Department requested an increase in the cost transfer line of \$10,000 in FY 04 and \$20,000 in FY 05 to cover projected costs. The cost transfer line funds OHV law enforcement activities.

Motion: Melton moved and Chilton seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$861,450 FOR FISCAL YEAR 2004 AND \$852,050 FOR FISCAL YEAR 2005 FROM THE OFF-HIGHWAY VEHICLE FUND.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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10. Request to Approve the Federal Aid Funds Budget Request for Fiscal Years 2004 and 2005

Pittman-Robertson (Federal Aid in Wildlife Restoration): The federal apportionment for FY 03 is \$4.5 million. Revenues for Fiscal 2004 and 2005 are anticipated to remain the same. With the addition of carry forward funds from unspent grant balances, we are projecting the total federal contribution from “Federal Aid in Wildlife Restoration” to be \$4.7 million for FY 04 and \$4.8 million for FY 05. Due to the Department anticipating stable apportionments through FY 05 and the natural growth of personal services commitments (merit/cost of living adjustment, Performance-based Incentive Pay Plan [PIPP]), operational monies and equipment replacements are being held at FY 02 levels.

Dingell-Johnson/Wallop-Breaux (Federal Aid in Sportfish Restoration): The federal apportionment for FY 03 is \$6.2 million. This is an increase of 21% over FY 02, but revenues for FY 04 and 05 are anticipated to be lower. With the addition of carry forward funds from unspent grant balances, we are projecting the total federal contribution from the Federal Aid in Sport Fish Restoration to be \$5.2 million for FY 04 and \$5.4 million for FY 05. Due to the Department anticipating stable apportionments through FY 05 and the natural growth of personal services, operational monies and equipment replacements are being held at FY 02 levels.

Coast Guard Boating Safety: The projected revenues for FY 04 and 05 are anticipated to be \$818,100 and \$817,600, respectively. The budget requests for FY 04 and 05 represent a continuation of the FY 02 budget. Capital equipment requests include radio equipment and boats for regional watercraft safety enforcement.

Section 6: Endangered Species Act: The budget requests for FY 04 and 05 represent a continuation of the FY 02 budget. Also, new funds totaling \$876,748 were obligated in FY 02. The projected allocations for FY 04 and 05 are anticipated to be \$950,000 each year.

Special Contract Monies: The estimated budgets for FY 04 and 05 represent a continuation of the FY 02 budget. Projected revenues for FY 04 and 05 are anticipated to remain stable at approximately \$2.1 million each year. These are generally contracts for wildlife inventory and research.

Motion: Gilstrap moved and Chilton seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED EXPENDITURES FROM THE PITTMAN-ROBERTSON; DINGELL-JOPHNSON/WALLOP-BREAUX; COAST GUARD BOATING SAFETY; SECTION 6 ENDANGERED SPECIES ACT AND SPECIAL CONTRACTS FEDERAL AID FUNDS FOR FISCAL YEARS 2004 AND 2005.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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11. Request to Approve the Wildlife Endowment Fund Budget Request for Fiscal Years 2004 and 2005

This fund receives revenues from the sale of lifetime hunting and fishing licenses. The FY 04 and 05 budget requests are a continuation of the FY 02 and 03 budgets, as appropriated by the Legislature.

The Department requested \$16,000 in Other Operating Expenditures each year for FY 04 and 05 to facilitate an annual transfer of accumulated interest to the Game and Fish Fund.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$16,000 FOR FISCAL YEAR 2004 AND \$16,000 FOR FISCAL YEAR 2005 FROM THE WILDLIFE ENDOWMENT FUND.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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12. Request to Approve the Waterfowl Conservation Fund Budget Request for Fiscal Years 2004 and 2005

The proposed budget for the Waterfowl Conservation Fund is based on an analysis of revenues from the sale of Waterfowl Duck Stamps, royalties from the sale of prints and interest on invested funds.

The FY 04 and 05 budget requests are a continuation of the FY 2002 and 03 as appropriated by the Legislature for developing migratory waterfowl habitat and associated research and management to increase the number of migratory waterfowl in Arizona.

The Department requested \$43,500 each year in Other Operating Expenditures for FY 04 and 05 for habitat conservation, stewardship and waterfowl management, and research projects.

The Department requested \$100,000 each year in Capital Outlay for FY 04 and 05 for the Migratory Waterfowl Habitat Improvement Program.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$143,500 FOR FISCAL YEAR 2004 AND \$143,500 FOR FISCAL YEAR 2005 FROM THE WATERFOWL CONSERVATION FUND.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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13. Request to Approve the Capital Improvement Fund Budget Request for Fiscal Years 2004 and 2005

Revenues for the Capital Improvement Fund are generated from fund transfers from the Conservation Development Fund, which contains monies obtained through surcharges on the sale of fishing, hunting, and combination hunting/fishing licenses. The Department requested a Capital Outlay Budget of \$1,310,000 in FY 04 and \$1,065,000 in FY 05.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$1,310,000 FOR FISCAL YEAR 2004 AND \$1,065,000 FOR FISCAL YEAR 2005 FROM THE CAPITAL IMPROVEMENT FUND.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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14. Request to Approve the Game, Nongame, Fish and Endangered Species Fund Budget Request for Fiscal Years 2004 and 2005

The Game, Nongame, Fish and Endangered Species Fund consists of revenue generated from the Arizona Income Tax Check-Off. The FY 04 and 05 budget requests for this fund are a continuation of the FY 02 and 03 budgets, as appropriated by the Legislature.

Expenditures in this fund will be allowed only as funding permits and the Department did not request increases for FY 04 and 05.

Motion: Melton moved and Chilton seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$288,100 FOR FISCAL YEAR 2004 AND \$288,100 FOR FISCAL YEAR 2005 FROM THE GAME, NONGAME, FISH AND ENDANGERED SPECIES FUND.

Vote: Chilton and Melton – Aye
Gilstrap – Absent for Vote
Chair voted Aye
Carter – Absent
Motion carried

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15. Request to Approve the Watercraft Licensing Fund Budget Request for Fiscal Years 2004 and 2005

Watercraft Licensing monies are generated from watercraft registration fees and licensing taxes. The FY 04 and 05 Watercraft Licensing Budget is a continuation of the FY 02 and 03 appropriated budgets adjusted for the following:

Personal Services and Employee Related Expenditures (ERE): The Department requested an increase in FY 04 and 05 in the amount of \$150,000 for each fiscal year to fund four Program/Project Specialists for an expanded watercraft outreach and education program.

Professional and Outside Services: The Department requested an increase in FY 04 and 05 in the amount of \$655,500 for each fiscal year. A watercraft safety and information outreach program expansion will be funded at \$580,500; \$75,000 will fund a field sobriety test standardization study.

In-state Travel: The Department requested an increase in FY 04 and 05 in the amount of \$9,900 for each fiscal year. This amount will cover increased travel costs associated with regional travel needs and fund estimated travel costs for four new Program/Project Specialists.

Other Operating Expenditures: The Department requested an increase in FY 04 and 05 in the amount of \$211,728 for each fiscal year. This request includes funding for operating expenditures associated with the expanded watercraft safety and outreach program and across-the-board increases to cover rising costs for utilities, postage, office supplies and miscellaneous operating expenditures.

Non-capital Equipment: The Department requested \$9,500 in FY 04 and \$4,500 in FY 05 to cover the purchase of regional office equipment and two new intoximeters for OUI enforcement.

Capital Equipment: The Department requested \$68,000 in FY 04 and \$51,700 in FY 05 to cover the costs of information systems infrastructure upgrades and replacement of obsolete equipment. The request also includes partial funding for a new phone system in Region 2 and copy machines for regions.

Motion: Chilton moved and Melton seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$3,148,928 FOR FISCAL YEAR 2004 AND \$3,125,628 FOR FISCAL YEAR 2005 FROM THE WATERCRAFT LICENSING FUND.

Vote: Chilton and Melton – Aye
Gilstrap – Absent for Vote
Chair voted Aye
Carter – Absent
Motion carried

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16. Request to Approve the Game and Fish Fund Budget Request for Fiscal Years 2004 and 2005

The Game and Fish Fund consists primarily of revenue generated from the sale of licenses and tags. The FY 04 and 05 budget requests are a continuation of the FY 02 and 03 appropriated budgets adjusted for the following:

Professional and Outside Services: The Department requested an increase in FY 04 and 05 in the amount of \$100,000 for each fiscal year to cover costs associated with the Department's outreach and marketing program.

In-state Travel: The Department requested an increase in FY 04 and 05 in the amount of \$16,000 for each fiscal year to cover increased travel costs associated with Commission travel.

Other Operating Expenditures: The Department requested an increase in FY 04 and 05 in the amount of \$116,000 for FY 04 and \$128,500 for FY 05 to cover increased operating costs for the Commission and across-the-board increases to cover rising costs for utilities, postage, and office supplies. This request includes funding for Internet service provider connections and phone lines to 100 wildlife managers. The FY 04 request includes a one-year increase to cover aviation expenditures related to aircraft

repainting and inspections. The FY 05 request includes funding for hardware/software support and license renewal fees.

Non-capital Equipment: The Department requested \$163,000 in FY 04 and \$147,000 in FY 05 to cover the purchase of computers and peripheral equipment for employees to continue the implementation of Department's Information Technology/Communication Plan. The request also includes funding for miscellaneous field equipment and replacement of handguns for law enforcement personnel.

Capital Equipment: The Department requested \$1,005,000 in FY 04 and \$954,500 in FY 05. The major portion of this request will fund the continuation of the Department's fleet replacement program. Other equipment requests include funding for network equipment upgrades, net pond covers for bird enclosures for the Bubbling Ponds Hatchery, phone system upgrade for Region 2, copy machine replacements in regional offices, airplane engine replacements, and replacements of a bear trap in Region 5. The request also includes funding for a wildlife crime information system for Radio Communications (WCIS).

DJ/PR Matching Funds: The Department requested an increase in Federal Aid matching funds in the amount of \$100,000 in each fiscal year to meet current and future state matching requirements. This increase is needed to avoid potential reversion of Dingell-Johnson Funds.

Capital Outlay: The request for FY 04 and 05 included for each fiscal year \$170,000 for Game and Fish facilities improvements and \$100,000 for the Shooting Range Development Program. The Building Renewal funding is based on the FY 03 allocation of \$331,000 and may be subject to change by the Department of Administration.

Critical Issue: The Department requested a Critical Issue in the amount of \$342,700 for each fiscal year to address the insufficient funding for salaries and related Employee Related Expenditures in the Game and Fish Fund. The Fiscal Year 03 Personal Services allocation is \$9,344,600, and salaries for the 244.5 Game and Fish Fund FTEs are expected total \$9635,000 in the same fiscal year. This estimated shortage of \$290,400 in Personal Services for FY 03 must be covered from other operating funds. The shortage results from the Department's continuing efforts to reduce turnover by offering salaries competitive with market rates. Starting salary adjustments for new employees are becoming increasingly necessary to recruit qualified individuals. The Department has unsuccessfully attempted to address the funding shortage in prior budget cycles, both through the Critical Issue process and as Decision Packages. The salary increases have been funded from vacancy savings and transfers from other budget lines to cover deficits but this practice has become extremely difficult to continue due to sharply rising operating costs in all budget areas. This Critical Issue request also includes funding for associated Employee Related Expenditures in the amount of \$52,300 based on a marginal rate of 18%.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSED BUDGET REQUEST OF \$22,138,400 FOR FISCAL YEAR 2004 AND \$22,368,300 FOR FISCAL YEAR 2005, AND THE CRITICAL

ISSUE IN THE AMOUNT OF \$342,700 for fiscal year 2004 and \$342,700 FOR FISCAL YEAR 2005 FROM THE GAME AND FISH FUND.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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17. Substantive Policy Statement – Heritage Expenditure Guidelines – Second Read

Presenter: Steve K. Ferrell, Deputy Director

(For additional background information, see Commission meeting minutes for May 17, 2002, pages 19-20.)

It is the intention of the Commission to provide for two readings of new or substantially modified Commission Policy Statements and Substantive Policy Statements during public meetings of the Commission. This practice allows for enhanced public notice and input into these statements prior to their final adoption by the Commission. At its May 17, 2002 meeting, the Commission unanimously voted to approve the Substantive Policy Statement addressing the Heritage Expenditure guidelines.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE SUBSTANTIVE POLICY STATEMENT FOR THE HERITAGE FUND PROGRAM EXPENDITURE POLICY.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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19. Proposed Modification to the Grant Prioritization Process and Budget Prioritization Process

Presenter: Alan Silverberg, Funds & Planning Manager

The Department proposed changes to the Budget Prioritization Process. The Commission closed the docket on the Article 7, Heritage Grants rulemaking and final review. Under the new rule, the process to prioritize Heritage Grants is renamed the “Grand Prioritization Process”. In addition, the Department recently completed the first grant cycle using the Revised Budget Prioritization Process as approved in 2001 by the Commission. Analysis of the 2001 process demonstrated a need for additional changes to make the grant process more customer friendly and to make the process more efficient for the Department.

The prioritization process manual is modified to accommodate both the Grant Prioritization Process and the Budget Prioritization Process. A major modification is to segregate the Budget Prioritization Process into a general Prioritization Process Section, a Grant Prioritization Process Section for Heritage Grants and a Budget Prioritization

Process Section for Boater Access Grants and Federal Aid Enhancements. The General Section would include the components that impact both prioritization processes. The remaining sections would be specific to Heritage Grants and to Boater Access and Federal Aid Enhancements. Minor modifications include 1) change to the scoring guidelines, allowing a range of scores for an individual question instead of absolute scores and 2) changes to the Boater Access specific questions.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT'S MODIFIED GRANT PRIORITIZATION PROCESS AND BUDGET PRIORITIZATION PROCESS MANUAL.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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20. Vote to Authorize the Arizona Game and Fish Department to Enter Into a Cooperative Agreement with the U.S. Environmental Protection Agency (EPA) to Participate in the E-MAP Project

Presenter: Jim deVos, Research Branch Chief

The EPA has initiated a nationwide project to monitor aquatic conditions including water quality, aquatic invertebrates and fish community. The purpose of the project is to detect long-term changes that occur. As with other states, the EPA is using cooperative agreements to fund the state wildlife management agency as the lead for this project. Due to existing working relationships with scientists for the U.S. Geological Survey (USGS), we plan to work cooperatively with both federal agencies to complete the project. Currently, a four year segment is planned that will run from FY 2002-2005, with a total value of slightly more than \$500,000. The total will be divided with approximately \$200,000 for the Department and \$310,000 for the USGS segment of the project. Generally, the Department will have responsibility for the biological components and USGS will have responsibility for abiotic factors.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO AUTHORIZE THE DEPARTMENT TO ENTER INTO COOPERATIVE AGREEMENTS WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND THE U.S. GEOLOGICAL SURVEY TO COMPLETE THE E-MAP PROJECT IN ARIZONA.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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22. Proposed Dates and Locations of Arizona Game and Fish Commission Meetings for 2003 and January 2004

Presenter: Steve K. Ferrell, Deputy Director

Mr. Ferrell noted Ernest Bustamante, representing the Town of Mammoth Parks and Recreation Board, sent a letter several months ago to then Commission Chairman Dennis Manning requesting that the Commission consider holding a future Commission meeting in Mammoth in conjunction with looking at some projects. His letter was read into the record.

Chairman Golightly noted it was expensive to move Commission meetings to outlying areas of the state and the Department was trying to save money for needed pickup trucks. Commissioner Gilstrap suggested a task force could go to Mammoth to look at the facilities and what their interests were. Mr. Ferrell stated that could be done.

The Commission discussed the proposed meeting dates and locations for calendar year 2003 and January 2004. Consensus was reached on the following schedule:

<u>Date</u>	<u>Location</u>
January 16, 2003	Phoenix-Legislator Day
January 17, 2003	Phoenix-Commission Meeting
January 18, 2003	Phoenix-Meet the Commission
February 21-22	Phoenix
March 21-22	Tucson
April 11-12	Phoenix (hunt orders)
May 16-17	Safford
June 20-21	Pinetop
August 8-9	Flagstaff
September 5-6	Yuma
October 17-18	Phoenix (fish orders)
December 5-6	Mammoth* or Phoenix
January 15, 2004	Phoenix-Legislator Day
January 16, 2004	Phoenix-Commission Meeting
January 17, 2004	Phoenix-Meet the Commission

*Dependent upon task force findings

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION VOTE TO ADOPT THE SCHEDULE AS PRESENTED OR AND SUBJECT TO CHANGES IN THE FUTURE ON THE AUTHORITY OF THE COMMISSION CHAIR.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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23. Call to the Public

There were no comments.

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24. Director's and Chairman's Reports

Director Shroufe noted the Commission was provided with written updates from each of the Divisions. He met with Dale Hall and others from the U.S. Fish and Wildlife Service (FWS) and Tucson developers on the Pima County Habitat Conservation Plan (HCP). He met with Maricopa County officials and Del Webb regarding the Buckeye Hills Shooting Range. A coordination meeting was held with the Bureau of Land Management (BLM) at Sipes White Mountain Wildlife Area.

Director Shroufe attended a Wildlife for Tomorrow board meeting. He noted the Outdoor Hall of Fame banquet would occur on Friday, August 23, 2002, at the Scottsdale Convention Resort and he had tickets for anyone who was interested.

Director Shroufe attended a Wildlife Conservation Council (WCC) meeting. He gave a presentation in Tucson to the Southwest Strategy Executive Committee on the state's progress on the coordinated resource management. He met with staff from the Arizona Department of Transportation and Governor's Office regarding use of the portal system when watercraft registration goes online.

Director Shroufe noted a meeting with the Department and BLM and their attorneys regarding the burro issue fell through. The solicitor for BLM failed to show for the meeting. Attempts are being made to reschedule the meeting.

Director Shroufe attended Department School and Awards ceremony in Flagstaff; he thanked the commissioners who were able to attend the ceremony. He attended an AORCC meeting. One of the things decided was to suspend State Lake Improvement Fund applications for the next two years because the Legislature took \$6 million out of this year's revenues and \$10 out of next year's revenues. There may be \$4 million remaining for reserve.

Director Shroufe attended at BEC meeting and participated on a conference call with Luke Air Force Base and Yuma Marine Base referencing INRMP. He attended a meeting of the Interagency Executive Committee in Sells on the Tohono O'odham Nation.

Director Shroufe spoke at the Department of Defense 2002 Conservation Conference in Tucson regarding what state wildlife agencies expected from INRMPs. States expected to be in them from the beginning; per the Sikes Act, states need to sign off on them. This was a change from prior to 1997, when all the states could do was comment and those comments were usually ignored. He also attended a Management Team meeting.

Chairman Golightly attended a Northern Arizona Flycasters banquet and an Anglers United gathering at Hurricane Lake. He worked on shooting range issues in Flagstaff. He attended the Department's Awards ceremony and attended a Bureau of Reclamation briefing at Marble Canyon regarding experimental flows that are due to be conducted this winter on the Little Colorado River at Lee's Ferry.

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25. Commissioners' Reports

Commissioner Melton attended the Kingman Kid's fishing tournament. He worked on a water hole project and attended a Yuma Valley Rod and Gun Club board meeting.

Commissioner Chilton worked on a scientific study concerning erosion on grasslands in southern Arizona. She attended two meetings of the Altar Valley Conservation Alliance regarding HCPs for the Chiricahua leopard frog and Tarahumara frog. She worked on water development projects.

Commissioner Gilstrap attended a Southwest Walleye meeting. He attended meetings on the Indian gaming initiative and continuation of the lottery. He attended a WCC meeting and a shooting range committee meeting. He attended the Department's Awards ceremony and attended the meeting at Marble Canyon with Commissioner Golightly.

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26. Approval of Minutes

Motion: Gilstrap moved and Chilton seconded THAT THE COMMISSION APPROVE THE MINUTES FOR MAY 17-18, 2002.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

The minutes for April 12-13, 2002 were signed.

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27. Executive Session – Legal Counsel

- a. *Forest Guardians v. APHIS*, CIV 99-61-TUC-WDB; *State of Arizona v. Norton*, CIV 02-0402-PHX-FJM; *Conservation Force v. Shroufe*, CIV 998-0239 PHX RCB; In Re *General Stream Adjudication for the Little Colorado River and Gila*

River; Mark Boge v. Arizona Game and Fish Commission & Shroufe, CIV 2000-020754; Mary R. LLC, et al. v. Arizona Game and Fish Commission, CIV 2001-015313 and Defenders of Wildlife et al. v. United States Fish and Wildlife Service, CIV01-934 (HA) (U.S.D.C. Ore.)

- b. Potential land acquisition
- c. Possible settlement in the matter of the Civil Assessment for Daniel J. Franco

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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Meeting recessed at 3:18 p.m.

Meeting reconvened at 3:40 p.m.

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- c. Possible settlement in the matter of the Civil Assessment for Daniel J. Franco

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION ACCEPT THE DEPARTMENT'S AND ATTORNEY GENERAL'S RECOMMENDATION TO APPROVE A SETTLEMENT AGREEMENT WITH DANIAL FRANCO TO RESOLVE HIS CIVIL ASSESSMENT MATTER.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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Motion: Gilstrap moved and Melton seconded THAT THE MEETING RECESS UNTIL SATURDAY.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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Meeting recessed at 3:42 p.m.

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Saturday, June 22, 2002 – 8:00 a.m.

Chairman Golightly called the meeting to order at 8:00 a.m. The commissioners introduced themselves and Chairman Golightly introduced Director's staff. Commissioner Carter was absent due to illness. The meeting followed an addendum dated June 18, 2002.

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Mary K. Myers presented the Commission with a check in the amount of \$2000 on behalf of the Triple 9 Foundation to buy video equipment for law enforcement. The video equipment was to be purchased from the Circuit City in Mesa.

Wes Keyes, Audio-Video Branch Chief, was recognized for his 30 years of service with the Department. He was retiring and this was his last meeting.

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1. Request to Approve a Notice of Rulemaking Docket Opening for Article 3, Taking and Handling of Wildlife

Presenter: Mark Naugle, Manager, Rules and Risk Management

(For additional background information, see minutes for December 8, 2001, page 35.)

The Commission approved the following proposed rule amendments as part of the five-year rule review package:

- R12-4-302 Amendments related to use of tags
- R12-4-303 Amendments related to prohibited devices and ammunition
- R12-4-304 Amendments related to lawful methods for taking wild mammals, birds and reptiles
- R12-4-305 Amendments related to possessing, transporting, importing, exporting, and selling carcasses or parts of wild mammals, birds and reptiles
- R12-4-306 Amendments related to buffalo hunt regulations
- R12-4-307 Amendments related to trapping regulations: Licensing; methods; tagging of bobcat pelts
- R12-4-308 Amendments related to wildlife inspections, check stations and roadblocks
- R12-4-311 Amendments related to exemptions from requirement to possess an Arizona fishing license while taking aquatic wildlife
- R12-4-312 Amendments related to special use permits and stamps for fishing on waters with shared jurisdiction
- R12-4-313 Amendments related to lawful methods of taking aquatic wildlife; restrictions
- R12-4-314 Amendments related to the possession, sale, transportation and importation of the carcasses and parts of aquatic wildlife (this section will be repealed and its provisions moved to R12-4-305)
- R12-4-318 Amendments related to seasons
- R12-4-319 Amendments related to use of aircraft to take wildlife

The anticipated effective date for the Article 3 rule amendments will be September 2003.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE A NOTICE OF RULEMAKING DOCKET OPENING FOR THE AMENDMENT OF THE ARTICLE 3 RULES RELATED TO THE TAKING AND HANDLING OF WILDLIFE IDENTIFIED IN THE FIVE-YEAR RULES REVIEW REPORT APPROVED BY THE COMMISSION AT THE DECEMBER 8, 2001 COMMISSION MEETING.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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2. Request to Approve a Notice of Rulemaking Docket Opening for Article 6, Rules of Practice Before the Commission

Presenter: Mark Naugle, Manager, Rules and Risk Management

(For additional background information, see minutes for December 8, 2001, page 35.)

The Commission approved the following proposed rule amendments as part of the five-year rule review package:

- R12-4-601 Amendments related to petition for rule
- R12-4-602 Amendments related to written comment on proposed rules
- R12-4-603 Amendments related to oral proceedings before the Commission
- R12-4-604 Amendments related to *ex parte* communication
- R12-4-605 Amendments related to standards for revocation and denial of right to obtain license
- R12-4-606 Amendments related to proceedings for license revocation, denial of right to obtain license and civil damages
- R12-4-607 Amendments related to rehearing or review of Commission decisions
- R12-4-610 Amendments related to petition for requesting closure of hunting, fishing or trapping privileges on state or federal lands

The anticipated effective date for the Article 6 rule amendments will be September 2003.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE A NOTICE OF RULEMAKING DOCKET OPENING FOR THE AMENDMENT OF THE ARTICLE 6 RULES OF PRACTICE BEFORE THE COMMISSION IDENTIFIED IN THE FIVE-YEAR RULES REVIEW REPORT APPROVED BY THE COMMISSION AT THE DECEMBER 8, 2001 COMMISSION MEETING.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

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3. Request to Adopt Commission Order 19: Dove, Commission Order 20: Band-tailed Pigeon and Commission Order 24: Sandhill Crane

Presenter: Tice Supplee, Game Branch Chief

Commission Order 19: Dove

The Department recommended continuation of the extended Falconry-only dove season initiated in 1991. Recommended Falconry-only season dates are September 13 through October 29. This season recommendation includes the maximum number of hunt days available (47). The dates will overlap the general season on September 13, 14 and 15. Falconry is also a legal method of take during the early and late dove seasons.

The Department recommended no change to the season structure for mourning doves and white-winged doves. A 15-day season would start on September 1, per Federal Frameworks. The North Zone would be open to all-day shooting and the South Zone would have half-day shooting hours starting ½ hour before sunrise and closing at noon. The late season would be for mourning doves only and would be open to all-day shooting statewide.

The Juniors-only season would be for those areas and dates closed to afternoon dove hunts during the September season. Since 1991, a Juniors-only dove season has been at the Powers Butte Wildlife Area. This year's hunt was recommended to be at the Robbins Butte Wildlife Area, with the dates being September 7-8. Bag limits and shooting hours will be the same as for the general season.

There is a \$3 fee charged to hunters for a Harvest Information Program (HIP) stamp. This fee offsets the costs of printing and distribution of stamps and other associated costs. In March 2002, the International Association of Fish and Wildlife Agencies completed a HIP report detailing areas for improvement. The report was provided to directors of state wildlife agencies and contains recommendations for improving compliance and data quality.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 19, DOVE AS PRESENTED AND SUBJECT TO FINAL FEDERAL FRAMEWORKS.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Commission Order 20: Band-tailed Pigeon

Although 2001 HIP data is unavailable, reports from hunters indicate the harvest for 2001 was below average. Due to drought conditions resulting in low mast production, traditional bandtail foraging areas had few birds. Following the 2001 season, the Department surveyed previously known pigeon hunters to determine estimates of harvest data and hunter numbers for the 2001 season. This survey showed 91 hunters harvested 192 pigeons.

The Federal Frameworks for band-tailed pigeons within the four-corner states allow for hunts of not more than 30 consecutive days between September 1 and November 30 with a bag and possession limit of 5 and 10 respectively. Although there appears to be some indication the number of birds harvested and success rates improved during the 1998, 1999 and 2000 seasons, results from the Department's 2001 questionnaire and lack of reliable HIP data account for the Department's recommendation of a more conservative

season length than allowed by the Federal Frameworks. Until such time that Federal Frameworks become more restrictive or population data suggest restricted bag limits, the Department recommends offering maximum bag limit opportunities while maintaining a conservative season length.

The Department recommended no change in season length and bag limit from the 2001 season. The Department recommended opening the season on September 27 and closing on October 7, 2002, with bag and possession limits of 5 and 10 respectively.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION ADOPT COMMISSION ORDER 20, BAND-TAILED PIGEON AS PRESENTED AND SUBJECT TO FINAL FEDERAL FRAMEWORKS.

Vote: Chilton, Gilstrap and Melton – Aye
Carter - Absent
Motion carried

Commission Order 24: Sandhill Crane

During the 1998 and 1999 crane hunts, Department personnel working the Whitewater Draw hunt area observed approximately 90% of the pre-hunt cranes departed the area due to impacts from hunters hunting too close to the roost area on Whitewater Draw. To address this issue, the Department recommended expanding the closure hunt area during the 2000 sandhill crane hunts. This closure will once again be in effect for the 2002 season. The closure, which is now in effect, is successfully maintaining undisturbed roosting habitat and subsequently keeping the cranes in the Whitewater Draw vicinity.

The Department recommended four, general 3-day hunts beginning on November 5 with 75 permits in each hunt. Each hunt will have a non-hunt day between hunts. Under the terms of the Rocky Mountain Sandhill Crane Management Plan, Arizona's 2002 maximum allowable harvest of RMP cranes is 55. With the recommended season structure, it is estimated the total harvest will be between 150-200 cranes. The predicted removal of RMP birds is estimated at 30 birds. All successful applicants will be notified there will be no mandatory check station for the 2002 season.

The Department recommended no change from last year's sandhill archery hunt. The 3-day archery only hunt is recommended from November 1 through November 3, 2002, with 10 permits. All other regulations, including no mandatory check out, will be the same as the general hunt.

Motion: Chilton moved and Gilstrap seconded THAT THE COMMISSION ADOPT, COMMISSION ORDER 24: SANDHILL CRANE, AS PRESENTED AND SUBJECT TO FINAL FEDERAL FRAMEWORKS.

Commissioner Chilton noted the cooperation of the ranchers in the Willcox area who have allowed access to the public and the Department should recognize these efforts.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

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9. Request from Mr. Mark G. Worischeck for Reinstatement of Hunting Opportunity and/or Bonus Points Related to the Unsuccessful 2001 Buffalo Hunters in Units 12A and 12B

Presenter: Richard Rico, Assistant Director, Special Services Division

(For additional background information, see Commission meeting minutes for February 22, 2002, pages 8-10; March 15, 2002, pages 2-4 and April 13, 2002, pages 41-43.)

The Commission received a request from Mark G. Worischeck in a letter dated April 29, 2002, to consider providing some measure of relief for hunters of cow-yearling bison on the House Rock Wildlife Area (HRWA) because he believed most of the bison were unavailable to hunters during the late December hunt. Mr. Worischeck specifically suggested the following actions be considered by the Commission:

1. Offer all of the unsuccessful 2001 buffalo hunters tags for the 2002 season in accordance with the Department recommendations as presented in the informational memo dated April 10, 2002, to Duane L. Shroufe and/or
2. Reinstate bonus points of the unsuccessful 2001 Arizona buffalo hunters

The Commission was presented with four options at the April Commission meeting for Commission Order 8: Buffalo. Options 1 and 3 included reissuing buffalo permit-tags to the 2001 unsuccessful hunters. The details of the two options were:

#1 (original hunter density accommodating unsuccessful 2001 fall HRWA hunters):

This option modifies the proposal initially recommended by the Department (three 26-day hunts, with 12 cow-yearling tags and three any buffalo tags in each hunt) to accommodate unsuccessful 2001 fall hunters. Because there were 41-43 unsuccessful hunters during 2001 fall HRWA hunts, there would be little additional opportunity for the general public to successfully apply for buffalo.

#3 (alternative lower hunter density hunt that will accommodate unsuccessful 2001 fall HRWA hunters):

This option would accommodate the 41-43 unsuccessful 2001 fall Units 12A and 12B buffalo hunters by providing them with the first opportunity at any buffalo permits authorized for the 2002 hunts. Because this structure would provide at most 33 permits during fall 2002 hunts, this approach would require us to address the need for additional buffalo tags at the 2003 spring hunt meeting in August 2002 to accommodate the remaining unsuccessful 2001 fall hunters.

The Commission considered both of these options and voted to approve an option that did not offer 2002 buffalo hunting permits to the unsuccessful 2001 hunters. The 2002 fall draw process is currently underway utilizing the hunt structures authorized by the

Commission at its April meeting. Any changes to the hunt structure at this point would be difficult to implement and would potentially generate significant customer dissatisfaction.

The administrative request to reinstate bonus points for unsuccessful 2001 Unit 12A and 12B buffalo hunters can be considered. While reinstatement of bonus points for 2001 unsuccessful hunters is a potential option, the Department recommended that the Commission not do this as it would undoubtedly lead to similar requests in the future from unsuccessful hunters.

The legal area included all of Units 12A and 12B. During the fall, National Park Service (NPS) personnel periodically observed 50-55 bison of the estimated 120-130 animals in the population in the Grand Canyon NP, where hunting is not allowed. Hunter reports from all established hunt periods in the 01fall hunt indicated bison were observed on national forest lands and a number of hunters were successful (24.1%) in locating and harvesting bison in spite of weather and road conditions.

Documents were distributed to the Commission. One handout was a chart showing various hunts, numbers of permits and percent success. Another chart showed hunt success for the past few years for all of the various bison hunts. The charts were reviewed. Mr. Rico noted that hunt numbers 7004 and 7005 had clean-up hunts between October 19 and 25. If a hunter was unsuccessful in the original hunt, he had the chance to hunt again during the clean-up hunt time frame. If a buffalo was harvested during the clean-up period, the hunter would be considered as successful in the regular hunt period. There were hunters who were successful in the clean-up.

The Department had concerns with the suggestion of giving these hunters tags for the 03 hunts. In February 2002, the Commission denied similar relief for Dale Haggard. Part of Mr. Worischek's request for relief is that the tags be issued at no cost to unsuccessful hunters. In order to provide replacement tags at no charge, the Commission would need to make the same type of decision that it did in January 2002 for the hunters affected by terrorist attacks on September 11, 2001. The Department has to be directly responsible for unsuccessful hunters not harvesting a buffalo in order to provide this at no cost.

With the replacement of bonus points, the Department felt this would lead to similar requests by the public. Hunters have been informed the House Rock buffalo hunt is a physically strenuous hunt and bison may be difficult to locate because it is a free-ranging herd.

Two written communications were received from the public (Guthridge and Jensen).

Mark Worischek, the petitioner, stated numbers do not always tell the whole story. The issue was not how many bison were harvested, but how many were available to be harvested from the entire herd in Units 12A and 12B. Where were the harvested buffalo taken? He asked several questions of the Department.

1. How many buffalo were documented to be on the park during the 01 hunt by the Department?

2. Of the 13 buffalo killed in 2001 that represented the 24.1% success, how many were killed by placing a horn across the park boundary, i.e., how many were killed at or near the park boundary?
3. Of the 13 buffalo killed in 2001, how many left the park after being possibly illegally driven from the park by hunters or friends of hunters?
4. How many documented buffalo of the entire herd were not on the park during the 2001 season? Of those, how many were legally huntable? How many were cows or yearlings?

If the Department could provide this information, the Commission would be able to make an informed decision on his petition. Chairman Golightly stated the Department did not manage the bison herd that intensely, especially during the hunt. The questions were impossible to answer.

Mr. Worischeck stated what he was not prepared for, and was not indicated to him, was if the buffalo relocated to the park, which they did in this hunt. It was not just physically demanding, it was an impossibility to hunt. He did not know the buffalo would move to an area where they would not be legally huntable. In its long-range management plan, the Department should consider disclosing that to hunters in the hunt regulations.

There were only three buffalo on the top near the park boundary. There were no buffalo on the ranch. There were no legally huntable buffalo on Units 12A and 12B. The guide flew over the area a few days before the hunt and spotted no buffalo in the legal area, other than the three previously referenced. There were many documented buffalo located well into the park.

Mr. Worischeck stated the Department should create a long-range management plan to give good hunting opportunities of this free-ranging buffalo herd. It was currently not a fair hunt. Giving them an opportunity to harvest should satisfy the 2001 unsuccessful buffalo hunters. If a hunter was unsuccessful due to weather, the buffalo were still there and huntable in the legal area. If a hunter was physically disabled at the time of the hunt, the buffalo were still legally huntable. These two instances would be totally separate from what he and other 2001 hunters faced with no legal buffalo to hunt.

Mr. Worischeck wanted to amend his petition to make it for 2003 or 2004 for some type of fair allocation process. Mr. Adkins stated it was permissible for Mr. Worischeck to amend his petition.

Chairman Golightly asked Mr. Worischeck what would be different if a tag was given to him for 2003. Mr. Worischeck hoped the Department will make a disclosure about buffalo being on the park by then. He hoped there would be a long-range management plan by 2003 that keeps those buffalo huntable.

Commissioner Melton mentioned there were elk in Unit 3B-N that become imprinted and move onto private land during the hunt. The buffalo know the locations of safety zones. There were other problem areas in the state.

Mr. Worischeck stated limited success hunts are hunts in which it is disclosed to the public that the animals may not be in the area. Elk that are not on public land may be able to be harvested on private land, because the hunter knows by disclosure that it is limited success, and may be able to get permission from the landowner to hunt on his property. This option does not exist in the buffalo hunts because it is federal parkland.

Brian Guthridge stated there were no buffalo. Something needs to be done to keep the buffalo out of the park so they can be hunted. He would like the opportunity to hunt these animals again. Most of the harvested buffalo were taken along the park boundary.

Rodney Mindrup supported Mark Worischeck. He was on House Rock in October. He never saw any buffalo; buffalo were not accessible to hunters. The House Rock buffalo hunt needed to be advertised as a limited opportunity buffalo hunt. The system needed to be changed for that area; buffalo cannot be hunted in the park.

Doug Ward stated he saw no legal buffalo during his hunt. Once buffalo get spooked in the first hunt, there is no chance of people in the middle hunts getting a buffalo because the buffalo have run onto the park. He should have had a chance to hunt legal buffalo.

Tice Supplee, Game Branch Chief, attempted to answer Mr. Worischeck's earlier questions. Eight to nine bison were killed at high elevation next to the park boundary. During a clean-up hunt in December, Department personnel saw that a few animals had returned to the House Rock area. The Department observed over 80 animals on September 28 off the park (the opening date of the first hunt). Those animals spooked and moved out on opening day in the direction of the wilderness and potentially the park boundary. The Department had no idea of where those bison went but did have repetitive sightings of 50-55 animals behind trees on flat land in the park. There is a total of 130-160 bison on House Rock; 50-60 were in a non-huntable area.

The Department has been asked whether or not this is being managed as a fair chase hunt opportunity. There is a Commission rule regarding state airborne hunting. The Department is hesitant to fly this herd and be overt in the management of the hunt because of the rule and to try to maintain the fair chase condition. This has led the agency to have more of a "hands off" approach in the hunt opportunity over the years. At what point is there no fair chase opportunity, but to return to a management strategy that was used years ago to keep the buffalo on the wildlife area. Some of the record books would then deem this herd as ineligible for fair chase. Chairman Golightly stated he contacted Boone and Crockett about feeding buffalo and it was not an issue with them. It may be an issue for Pope and Young; they added this herd as fair chase a few years ago.

Ms. Supplee noted bison were distributed across the management units and there was no indication that the population on the west side (near Kanab Creek) ever comes back. There is no wildlife area population as there was historically; it is more of a management unit population today. The only way to keep the bison off the park would be by fencing; feeding might be another action.

Commissioner Gilstrap noted this was a challenging request. A long-range planning committee has been established. It was an important, but not a simple issue. He had concerns about issuing tags for 02 or 03; they were all not due to setting a precedent.

The Commission has to be consistent and not provide tags for future hunts. The Commission and Department need to be aggressive in developing that hunt unit into a better opportunity.

Commissioner Chilton agreed it was a difficult situation and she did not favor reissuing tags. She was, however, in favor of bonus points, not for this year, but for future years. There was a large difference between a difficult hunt and a legally impossible hunt. She thought a legally impossible hunt was sold to people; the hunt was beyond difficult. Wildlife is not managed on national parks; people are being told to keep out. These people should have bonus points to enable them to get back into the picture.

Commissioner Melton asked if the House Rock bison hunt was advertised as limited success hunt, would Mr. Worischeck have been deterred from going hunting. Mr. Worischeck stated no; however, with full and fair disclosure, people would not be coming back to the Commission and they would be allowed to make informed decisions as to whether or not they wanted to take the time and resources to go on the hunt.

Commissioner Melton pointed out that the herd was imprinted. Once shots were fired, the herd would be running to the park area for safety. There was not too much the Department could do other than harvest the imprinted buffalo and transplant new bison herds onto the wildlife area. This may be an option to think about.

Mr. Worischeck stated that first data needed to be collected, either by fly-overs by the Department (the statute exempts Department and Forest Service personnel for game management purposes) or by darting and collaring buffalo in order to track them. Feeding the bison to keep them on the wildlife area is an option. He was against total fencing, but favored a limited, gaited fenced area at the south game trail.

Commissioner Gilstrap suggested that Ms. Supplee might want to tap into the resources of dedicated hunters in the room for the long-range planning committee.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION VOTE TO DENY MR. MARK G. WORISCHECK'S REQUEST TO OFFER UNSUCCESSFUL UNIT 12A AND 12B BUFFALO HUNTERS TAGS FOR FUTURE SEASONS AND/OR TO REINSTATE THE BONUS POINTS OF THE UNSUCCESSFUL 2001 HUNT 12A AND 12B BUFFALO HUNTERS.

Vote: Gilstrap and Melton – Aye
Chilton – Nay
Chair voted Nay
Carter – Absent
Motion failed to pass

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Meeting recessed at 10:05 a.m.

Meeting reconvened at 10:27 a.m.

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Motion: Chilton moved and Golightly seconded THAT THE BUFFALO BONUS POINTS BE REINSTATED TO EACH OF THE FALL 2001 UNSUCCESSFUL

BUFFALO PERMIT HOLDERS; THE NUMBER OF BONUS POINTS INDIVIDUALLY ASSIGNED AT THE TIME OF THE 2001 FALL DRAW. FURTHER, THAT THE ACTION IS EFFECTIVE UPON COMPLETION OF THE FALL 2002 DRAW. THIS ACTION DOES NOT APPLY TO ANY 2001 UNSUCCESSFUL HUNTER WHO MAY BE SUCCESSFUL FOR THE 2002 FALL BUFFALO HUNT.

Vote: Chilton – Aye
Gilstrap and Melton – Nay
Chair voted Aye
Carter – Absent
Motion failed to pass

Motion: Gilstrap moved THAT THE COMMISSION VOTE TO DENY THE REQUEST TO OFFER UNSUCCESSFUL UNIT 12A AND B BUFFALO HUNTERS TAGS FOR THE 2002 SEASON AND TO REINSTATE BONUS POINTS TO UNSUCCESSFUL 2001 UNIT 12A AND B BUFFALO HUNTERS.

Mr. Rico stated he was asked to re-read the Department's recommendation. When he did that, in lieu of putting in a year or season because Mr. Worischeck changed his option, the Department recommended against the reinstatement of bonus points or tags for future years.

Commissioner Gilstrap amended his motion TO BE FOR 2002-2003. Commissioner Melton seconded the amended motion.

Vote on Amended Motion: Gilstrap and Melton – Aye
Chilton – Nay
Chair voted Nay
Carter – Absent
Motion failed to pass

Chairman Golightly moved TO REINSTATE TAGS FOR 03 FOR UNSUCCESSFUL 2001 BUFFALO HUNTERS IN THEIR ENTIRETY AND THAT THE DEPARTMENT DRAFT OPTIONS THAT WILL ALLOW US TO ASSIGN AND/OR REDRAW THOSE BUFFALO HUNTERS WHO WERE UNSUCCESSFUL IN THE 2001 BUFFALO HUNT AND ALLOW THEM TO BE USED IN THE POOL IN THE 2003 HUNT AND STILL ALLOW FOR A PUBLIC DRAW FOR 2003.

Mr. Rico noted THE TAGS WOULD NEED TO BE PAID FOR. CHAIRMAN GOLIGHTLY AGREED. Mr. Rico stated it needed to be worded in an open-ended way THAT IT WOULD BE CONTINGENT UPON THE NUMBER OF PERMITS THAT MAY BE RECOMMENDED FOR THE 03 SEASON. The motion failed for lack of a second.

Mr. Odenkirk recommended postponing the matter until the next Commission meeting since it was difficult to get a majority vote with only four members present. There was no way for the Chair to break a tie.

Motion: Chilton moved and Golightly seconded THAT THIS MATTER BE TABLED OR CONTINUED AT A FUTURE TIME.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

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6. Presentation by Jane Rau from the McDowell Sonoran Land Trust Organization

Presenter: Tice Supplee, Game Branch Chief

Ms. Supplee introduced Ms. Rau. A seven minute video of the Land Trust was viewed.

Ms. Rau gave a brief history of the formation of the Sonoran Land Trust and stressed the importance of partnerships. The Sonoran Land Trust has had help from the Game and Fish Department.

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7. Presentation by Mike Johnson representing the Gila Bass Organization Who is Also President of the AZ Bass Foundation

Presenter: Tice Supplee, Game Branch Chief

Ms. Supplee introduced Brenda Johnson of the Arizona Bass Federation. Ms. Johnson stated the organization wanted to see a higher profile of wildlife managers at fishing tournaments. If people do not practice conservation and good sportsmanship, we will lose out on what is in the future. She hoped there would be a better relationship between the Federation and Department in the future. She invited the Commission and Department staff to their meetings to show support in what they were doing.

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5. Proposed Trade of Desert Bighorn Sheep with New Mexico for Rocky Mountain Bighorn Sheep

Presenter: Brian Wakeling, Big Game Supervisor

In a letter dated May 21, 2002 to Duane Shroufe, New Mexico Department of Game and Fish Director Larry Bell requested Mexicana desert bighorn sheep from Arizona in exchange for Rocky Mountain bighorn sheep from New Mexico. New Mexico requested up to 60 desert bighorn sheep over the next five years to assist with their desert bighorn sheep restoration efforts. New Mexico has been working with the San Andres National Wildlife Refuge (NWR), White Sands Missile Range and the Arizona Game and Fish Department in developing a proposal that is biologically feasible. This proposal has been shared with the Arizona Desert Bighorn Sheep Society in its development.

Currently, New Mexico's desert sheep populations are critically low and releases are proposed into the San Andres or Peloncillo Mountains. Historically, the San Andres population was eliminated as a result of a virulent scabies outbreak. The San Andres are the main release site for this proposal. Based on a sentinel ram study, the area has remained scabies free for over two years. Because of the potential for disease (primarily pneumonia), transmission between transplanted sheep and resident animals, New Mexico conducted a disease compatibility test in November 2001 to determine if a high probability existed that desert sheep from the Kofa Mountains would transmit pneumonia to resident San Andres sheep or to sheep that may be released from New Mexico's captive breeding facility at Red Rock. Preliminary results indicate the likelihood for such a transmission is low.

Mountain lion predation has been a documented management issue with sheep population persistence and transplant success in New Mexico. New Mexico has several proactive and reactive mountain lion management protocols in place and ongoing to reduce the likelihood of predation influencing the success of these sheep transplants. New Mexico would like to use the San Andres and Peloncillo Mountain populations as source stock to restore their historic herds and have plans to offer sheep hunts when prudent to do so.

In return for these animals, New Mexico has offered Rocky Mountain bighorn sheep. Arizona is currently evaluating the feasibility for conducting supplemental releases near Bear Mountain in Unit 27 to expand the range of Rocky Mountain sheep in Arizona. The availability of Rocky Mountain sheep from New Mexico would assist in meeting that objective.

Yesterday, the New Mexico Game and Fish Commission accepted this proposal as presented.

Also present at today's meeting was Ray Varney with the Kofa NWR, Mara Weisenberger with the San Andres NWR and Elise Goldstein with New Mexico Game and Fish.

Public comment

Gary Barcom, President of the Arizona Desert Bighorn Sheep Society (ADBSS), stated the ADBSS supported the exchange and transplant. Comments from the ADBSS were included in a letter dated June 17, 2002.

Mr. Wakeling noted a number of points in the letter from the ADBSS. There had been concern about coordination with the federal agencies. The reason why the Kofas were being used as the source population for this proposed transplant is because it is one of the most productive areas in one of the largest bighorn herds. Because of disease issues, it was a population that was being used in Arizona's transplant proposals and disease testing can be done one year and the results can be applied to subsequent years.

In the upcoming year, transplant efforts will be focused on capturing sheep within the Eagletail or the Gila Bend Mountains for instate transplant needs. Regarding costs, the San Andres NWR has agreed to pay for the capture costs. New Mexico will be planning for the expenses of the Rocky Mountain bighorn capture in the following year.

Ms. Weisenberger provided more information about the San Andres NWR. Once bighorn sheep were established at a sustainable level, the refuge would allow hunting of bighorns.

Motion: Melton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE THE PROPOSAL TO PROVIDE NEW MEXICO WITH UP TO 60 DESERT BIGHORN SHEEP OVER FIVE YEARS IN TRADE FOR ROCKY MOUNTAIN BIGHORN SHEEP CONTINGENT ON THE AVAILABILITY OF DESERT BIGHORN SHEEP.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

Public comment

Helena Szyposzynski, representing self, asked about plans for aggressive predator management in the Rocky Mountain bighorn sheep release sites in Arizona prior to release. Transplanted bighorn will be released in Unit 27. Mr. Wakeling stated plans in this sheep release do not address any pre-release treatment. Some of the animals would be radio marked. The Department would be working with sportsmen. If an bighorn was taken by mountain lion, information would be provided to sportsmen so that they could pursue the lion and work more in a reactive manner.

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4. Request to Adopt Commission Order 23: Trapping, for the 2002-2003 Season

Presenter: Tice Supplee, Game Branch Chief

The Department proposed no changes in season dates, legal species, and bag and possession limits.

Motion: Chilton moved and Gilstrap seconded THAT THE COMMISSION VOTE TO APPROVE COMMISSION ORDER 23, AS PROPOSED.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

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8. Emergency Amendment of Commission Order 40 for Tunnel Reservoir, Crescent Lake, Concho Lake and Woodland Lake

Presenter: Roger Sorensen, Hatchery Program manager

Summer fish kills in Arizona are not uncommon, particularly during drought conditions.

Tunnel Reservoir is extremely low and has reached minimum pool with approximately 6 feet of water remaining in dead storage. The lake has been drawn down quickly for irrigation purposes. It is filled by a diversion ditch from the Little Colorado River and will not receive any additional water until after September 15, 2002. Fishing is still good with fair numbers of catchable rainbow trout left in the lake.

Crescent Lake is very low due to the lack of snow pack during the winter of 2001-2002 and is coming off a very low water level from last year. Aquatic vegetation is very abundant throughout the lake, resulting in high pH levels from the high rates of photosynthesis. Fishing has been light because of the low water and weedy conditions but fair numbers of catchable rainbow and brook trout exist in the lake.

Concho Lake is very low and covered with aquatic weeds. The lake has been drawn down quickly for irrigation water. A small fish kill has recently been detected on June 17. Fish remaining in the lake consist of catchable rainbow trout. A larger fish die-off is expected at Concho Lake this summer.

Woodland Lake is extremely low due to irrigation releases and the desiccation of Pinetop Spring, which is normally diverted to fill the lake. There is also a very thick bed of aquatic weeds in the shallower portions of the lake. Fishing is still fair with most of the catch made up of rainbow trout stocked earlier in the year as catchables and occasional largemouth bass and channel catfish.

Wildlife managers and the regional fisheries program manager advise the under prevailing conditions, these sites are not stockable and will reach levels that may cause an impending fish kill.

Due to reservoir conditions that indicate a fish kill is impending at Tunnel Reservoir, Crescent Lake, Concho Lake and Woodland lake, the Commission was asked to amend Commission Order 40(I)(A)(13) under the provisions of R12-4-313(D) and R12-4-609(B)(3) to remove bag limits on trout, largemouth bass, and channel catfish and to designate a special emergency season at Tunnel Reservoir, Concho Lake and Crescent Lake in Apache County and Woodland Lake in Navajo County allowing fish to be taken by hand or with any hand-held, non-motorized implement that does not discharge a projectile.

Upon Commission action and 10 days' public notice, the modification of Commission Order 40 would go into effect. This emergency amendment of Commission Order 40 would remain in effect for the remainder of the calendar year unless the Commission acts to reinstate regulations.

Motion: Gilstrap moved and Chilton seconded THAT DUE TO RESERVOIR CONDITIONS THAT INDICATE A FISH KILL IS IMPENDING AT TUNNEL RESERVOIR, CONCHO LAKE, CRESCENT LAKE AND WOODLAND LAKE, THE COMMISSION VOTE TO AMEND COMMISSION ORDER 40(I)(A)(13) UNDER THE PROVISIONS OF R12-4-313(D) AND R12-4-609(B)(3) TO REMOVE BAG LIMITS ON TROUT, LARGEMOUTH BASS, AND CHANNEL CATFISH AND TO DESIGNATE A SPECIAL EMERGENCY SEASON AT TUNNEL RESERVOIR, CONCHO LAKE AND CRESCENT LAKE IN APACHE COUNTY AND

WOODLAND LAKE IN NAVAJO COUNTY, ALLOWING FISH TO BE TAKEN BY HAND OR WITH ANY HAND-HELD, NON-MOTORIZED IMPLEMENT THAT DOES NOT DISCHARGE A PROJECTILE. THIS EMERGENCY AMENDMENT OF COMMISSION ORDER 40 WILL REMAIN IN EFFECT FOR THE REMAINDER OF THE CALENDAR YEAR UNLESS THE COMMISSION ACTS TO REINSTATE REGULATIONS.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

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Mr. Sorensen provided an update on the Canyon Creek Hatchery, which has been jeopardized by the Chediski fire. All of staff and their families have been evacuated from the hatchery. As of this morning, it appeared that the hatchery would not sustain any damage. The western edge of the fire is several miles east of the property. Depending on fire and weather conditions today, the fire could move out and not burn the hatchery.

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10. The Department's Business Administration Strategic Plan

Presenter: Richard Rico, Assistant Director, Special Services Division

This is the first strategic plan developed to specifically address the Department's business administration.

Business Administration 2006 includes specific strategies and objectives for each component of the Department's business administration. Objectives and strategies identify what we hope to accomplish and provides guidelines for how we will systematically manage the Department's financial, general services, human resources, and outreach and marketing efforts. This plan's objectives and strategies will be the driving force behind the annual work plans that guide daily operations.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION VOTE TO APPROVE THE DEPARTMENT'S BUSINESS ADMINISTRATION 2006 STRATEGIC PLAN.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

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2. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto – cont'd.

Motion: Melton moved and Chilton seconded TO REOPEN ITEM 2 FROM THE FRIDAY AGENDA.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

Commissioner Chilton stated the reason why this item was being reopened was that she received a copy of an article (“Mount Graham in Danger-Observatory Sits Atop Tinderbox-Wildfire Threat Adds New Angle to Old Debate”) that appeared in yesterday’s *Arizona Daily Star*. The Commission did not have this article when it dealt with federal lands issues. This was a long article by a well-respected environmental writer who deals with habitat issues for the *Star*. Game and Fish is never mentioned once in the article. She believed that the Department needed to be in a higher profile.

Motion: Chilton moved and Melton seconded THAT THE COMMISSION DIRECT THE DEPARTMENT TO WRITE A LETTER ADDRESSED TO JOHN MCGEE, SUPERVISOR OF THE CORONADO NATIONAL FOREST, WITH COPIES TO ROY JOHNSON, CHIEF OF OPERATIONS OF THE NATIONAL INTERAGENCY FIRE CENTER, GOVERNOR OF ARIZONA, AND THE ARIZONA CONGRESSIONAL DELEGATION, STATING OUR CONCERN FOR THE SEVERE DANGER PRESENTED TO THAT HABITAT BY THE TINDERBOX CONDITIONS THAT EXIST ON MOUNT GRAHAM AT THIS POINT, WHICH ARE ENDANGERING LIVES, PROPERTY, HABITAT AND A VERY SIGNIFICANT SCIENTIFIC ASSET TO ARIZONA. THIS ARTICLE STATES THAT THE FOREST SERVICE SAYS THAT ANY PROACTIVE ENGAGEMENT AROUND THOSE TELESCOPES BEING CALLED FOR BY U OF A, WOULD BE A PROBLEM BECAUSE “IT WOULD REQUIRE A LENGTHY AND COSTLY ENVIRONMENTAL STUDY.” LENGTHY AND COSTLY DESCRIBE FIGHTING FIRES JUST AS WELL. FIRE DANGER IS EXTREMELY COSTLY IN TERMS OF FINANCES, AS WELL AS LIFE, PHYSICAL ASSETS AND HABITAT. WE NEED TO TELL THE FOREST SERVICE THAT, AS THE GAME AND FISH COMMISSION, WE BELIEVE POTENTIAL COSTS OF INACTION EXCEED THE COST OF BUREAUCRATIC PAPERWORK NEEDED TO TAKE ACTION; SO LET US FACILITATE THE ACTION, NOT SAY WE CANNOT DO IT BECAUSE WE NEED TO GO THROUGH ALL THESE STEPS.

Chairman Golightly did not feel the Commission, as a whole, needed to take a position on something it already took a position on because of a newspaper article. He did not feel the potential to start a public debate in the newspaper was worth the effort. Commissioner Chilton thought the public debate was already underway. The Commission’s visibility on this issue was not high or the Commission and Department would have been contacted. The Commission needed to take action and make a statement. She believed Commissioner Carter would be adamantly speaking in favor of this issue if he were present at the meeting.

Commissioner Melton felt this was the time to bring the level of awareness back up on this issue because of the fires going on right now. It drives the point home. This would be the time to get action.

Commissioner Gilstrap did not see this as a war with the media. It was a recommendation to the forests and land managers that they need to be more proactive.

Chairman Golightly stated this was just one issue in southern Arizona; there were issues in northern Arizona and in other areas of the state.

Director Shroufe stated a letter was sent to the congressional delegation last week and he only received a response from Congressman Shadegg. He talked with Bruce Raden, his staffer, who stated the letter would be sent to the U.S. Forest Service regional office in Albuquerque from Shadegg's office asking for a response.

Commissioner Chilton stated this letter would be addressed to John McGee with copies to those listed reiterating the concerns of the Commission for the wildlife habitat, the jeopardy to property and life and resources to Arizona through inaction and that the Forest Service and congressional delegation should work together to help overcome any barriers to taking proactive steps to prevent the danger that we see, not only on Mount Graham, but statewide. Mount Graham would be a good place to start.

Director Shroufe stated the Department was familiar and comfortable with the issue and could write a letter to John McGee with copies to entities cited. The emphasis of this letter would be to remove the impediments that will enable the Forest Service to deal with other issues, e.g., taking care of beetle-infested dead trees and do thinning around the telescopes.

Vote: Chilton, Gilstrap and Melton – Aye

Carter – Absent

Motion carried

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11. Call to the Public

There were no comments.

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12. Future Agenda Items

Commissioner Chilton asked for a report regarding the outcome of the letter that will be written to Mr. McGee, etc. A status report of responses would be given in the Director's Report in August.

Revisit the Worischeck petition for reinstating buffalo permits in August

Investigate long-term economic potential for the entire Ben Avery Shooting Facility as soon as possible. Director Shroufe stated this would take about six months to do.

A status report of the RFPs for short-term economic potential for parcels A, B and C at Ben Avery could be covered possibly in August under the Shooting Range Update

Damage estimates of wildlife resources and property, with an update on big game permits in the units affected by the Chediski-Rodeo fires. Director Shroufe stated it was more critical to do something about this issue before the August meeting because of the draw. The Department was already getting requests from big game permit purchasers to delay their year because antler development may not be big enough. He was sure there would

be issues with some of the management units. It was important for the Commission and Department to get together to have a game plan up front. He suggested that the Chairman name a sub-committee with two commissioners to work with the Department in the near future (before the draw results go out) to see what kind of options exist. There then would be a Commission meeting to take action on any proposals. Chairman Golightly stated Commissioner Melton and he would be on the sub-committee. Commissioner Gilstrap noted this should be a coordinated, consistent effort. Director Shroufe thought that a program could be outlined that would be fair and maybe give choices to individuals. The sub-committee could also address noticing problems.

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Motion: Gilstrap moved and Melton seconded THAT THE MEETING ADJOURN.

Vote: Chilton, Gilstrap and Melton – Aye
Carter – Absent
Motion carried

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Meeting adjourned at 12:05 p.m.

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